

HOUSE COMMITTEE ON ELECTIONS

Hearing Date: April 15, 2021 8:00 AM

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COMMENTS FOR: HB 895

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Victoria Hanson

self - retired

Corpus Christi, TX

Vote Yes on HB 895

This is a great bill if there is any question regarding a voter's identity. This bill maintains that if acceptable identification is not provided when checking in to vote, that voter can be photographed or a copy of their documentation made. This information is to remain confidential unless used in criminal case.

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Linda Litzinger

self- public policy specialist for a non-profit

Austin, TX

I suggest that you also accept military IDs with photos, in addition to DPS IDs with photos.

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shawn flanagan

self/retired

corpus christi, TX

Please vote yes. Great bill, adds to election integrity.

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Rose Rust

Self / Retired

Corpus Christi, TX

Vote Yes, I support Voter IDs to prevent voter fraud and ensure elections uphold integrity. I have heard of several instances where voters were told they had already voted when in fact, they had not.

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Charles Wiley

Self

Alice, TX

Please Vote yes! This increases Election Integrity by allowing a photo to be taken in the case that a voter has questionable photo ID. Requiring current and correct photo ID is the absolute basic requirement of making sure the person is who he/she says he is. Hence, Election Integrity.

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Richard Smith

Self

Corpus christi, TX

Vote yes, yes.

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Larry Ringler

Self

Portland, TX

Vote YES to improve trust in our elections by allowing a photo of voters who have a questionable photo ID. This will help ensure voters are who they say they are.

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Kathryn Gordon

Self

Corpus Christi, TX

Yes

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Tom Thomas

self

Corpus Christi, TX

Republicans, PLEASE STOP your war on democracy! Do you really want the name "Republican" to be synonymous with voter suppression? Republicans' continued attacks on voting rights (under the false pretense of "election security") are ultimately self-defeating, usually discriminatory, and blatantly unAmerican.

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Jessie Carlson

self

Corpus Chrsiti, TX

Vote yes! This increases Election Integrity by allowing a photo to be taken in the case that a voter has questionable photo ID. Requiring current and correct photo ID is the absolute basic requirement of making sure the person is who he/she says he is.

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Amanda Friedeck, m

Silver Star Food Stores/BRANDS Marketing Group, LLC

ALICE, TX

I, Amanda Sue Friedeck (Jim Wells County ) am in favor of HB 895. This is so that our elections are transparent, accountable and fair.

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Lisa Humphrey

ADL (Anti-Defamation League)

Austin, TX

We write to express our strong opposition to House Bill 895 (HB 895), which permits an election officer to photograph a voter and certain personal voter information if the voter presents identifying documentation that is not from the Department of Public Safety or based on the election officer's mere suspicion of the documentations lack of authenticity.

ADL (Anti-Defamation League) is a national nonpartisan anti-hate organization founded in 1913 with a mission to "stop the defamation of the Jewish people and secure justice and fair treatment to all." Its mandate is to protect the civil rights of all persons; eliminate vestiges of discrimination, racism, and antisemitism; and fight hatred in all its forms. Advancing voting rights and promoting democracy has long been a core component of this mission. Indeed, encouraging voters to be active participants in the political process and promoting universal suffrage are crucial to ADL's founding goal to secure the fair and just treatment of all people. Through educational campaigns on how to vote; activism in the legislative arena and other halls of power; and, when necessary, participation in litigation, ADL has sought to guarantee basic voting rights for all Americans.

HB 895 increases confusion about acceptable documentation and, in practice, will result in poll watchers, who may be hyper partisan, being used to scrutinize voters and their documentation. It will result in voter intimidation, violate the privacy of voters and disrupt the voting process – wittingly or not – as they go about the most sacred task in any democracy. It will only serve to further intimidate Black voters and voters of color, communities already historically targeted for voter suppression efforts. Overzealous poll watching has frequently been the subject of voter complaints, costly litigation, and restraining orders in Texas and nationally (footnote 1). The Legislature should oppose such unnecessary tactics, which are likely to intimidate and confuse many voters, worsen the experience of voting, and depress turnout.

Our legislature should be working to expand free and fair access to the ballot box. Consequently, we strongly oppose House Bill 895.

Footnote 1: Mariah Blake, The Ballot Cops, ATLANTIC, October 2012.

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DONNA EYLES

Self

CORPUS CHRISTI, TX

Vote yes. A voter who is not trying to act fraudulently should not object to having his/her picture taken to ensure they are the person they claim to be.

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Bill Sargent, Former Chief Deputy Clerk for Elections, Galveston County

Self

Galveston, TX

I have been very concerned ever since the Voter ID law was amended to include impediment voting. I tried to have that measure amended but was told that the powers at be had demanded that no changes were to be made (not even improvements to fill loopholes). What I was told at the time is that they did not want to be sued. Well guess what, what we do here is going to be sued by the other side no matter what we do and it's high time to step up and do what is right, not acting from fear and not allowing ourselves to be bullied!

I support HB 895 for a number of reasons, but let me highlight just one, When we allowed impediment voting a few years back we opened the door to allow a person to bring in an out-of-state drivers' license as an ID. We've seen this a lot at our polling locations. The problem is that some of these licenses are over a year old, and some have even expired. Because they are a government document, we have to accept them. Who knows if the person is registered in two different states, let alone whether the person has voted in both of them!

The concern I have just shared with you is one of the loopholes I tried to fix back when impediment voting was introduced. Maybe now that we are focusing on election integrity we can move to plug this hole in the dike!

Valoree Swanson's bill will allow us to take a photo of these individuals and hopefully the person's out-of-state license. These will be sent to the Secretary of State who in turn will verify through ERIC if the voter has dual registrations and whether said voter voted twice in the same election.

I have attached language which was drafted by Legislative Counsel and which dovetails with the intent of HB 895. If the author wanted to add this language to the bill we are discussing, that would be a further step toward election integrity.

Section 2(d)(2) of this language could be replaced by allowing election workers to take photos of the out-of-state license. [See the Addition I have added below]

87R3194 MLH-F

(In response to a request from Greg Bonnen)

By: \_\_\_\_\_

\_\_\_\_.B. No. \_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to acceptable forms of identification for voting.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 15.081(a), Election Code, is amended to read as follows:

(a) The registrar shall maintain a suspense list containing the name of each voter:

(1) who fails to submit a response to the registrar in accordance with Section 15.053;

(2) whose renewal certificate is returned to the registrar in accordance with Subchapter B, Chapter 14; [or]

(3) who appears on the list of nonresidents of the county provided to the registrar under Section 62.114, Government Code; or

(4) who presents a driver's license issued by another state in satisfaction of Section 63.0101(b)(1).

SECTION 2. Section 63.0101, Election Code, is amended by adding Subsections (d), (e), and (f) to read as follows:

(d) If a driver's license issued by another st

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Cissy Sanders

Self

Austin, TX

I OPPOSE HB 895. The information that is currently asked of Texan voters is sufficient. To require Texan voters to share further personal information such as medical diagnosis/information violates HIPPA laws and state health data privacy laws. The Texan voter does not need unnecessary requirements to share more of their Personal Identification Information that could be manipulated by partisan election officials. This is a law that could trespass on Texans' privacy freedoms.

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JOy Cunningham

self/writer

Austin, TX

I oppose this bill because it is unnecessary and its obvious purpose is only to intimidate a voter.

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Sarah Berel-Harrop

self/seminarian

Farmers Branch, TX

Please do not pass this bill out of committee.

I have served as an election official for several years in Harris County and last year in Dallas County. This bill would allow an official to take pictures of people who submit passports, gun licenses, and other list A documents as well as those who present list B documents (which is extremely rare)! Other voters would see this going on which would have a chilling effect on voters. It also would contribute to longer lines. This is a terrible idea!

Thank you for your consideration.

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Keena Miller

self; education communications

Austin, TX

OPPOSE

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Denise Gordonm

Self/ TX Dem Veterans

Round Rock, TX

HB 895 is too intrusive! If there is a question about the identity of a Voter, election officials offer a Provisional Ballot to the Voter. Who would take the photo with what equipment and who would they turn it into? There is not a need for this bill. Obviously Rep Swanson has never or not recently worked an Election!  
DEFEAT this HB 895.

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JoAnn Fleming, Executive Director

Grassroots America - We the People PAC

Flint, TX

JoAnn Fleming, Executive Director, Grassroots America - We the People PAC, speaking for the organization:

Grassroots America strongly supports HB 895 by Swanson.

We strongly support any measure that will help secure elections, meaning that every legal vote should count. It should be easy for legal voters to vote and virtually impossible for a vote to be stolen by an ineligible voter. We support empowering election officials to document information to assist in securing and verifying votes cast.

We urge the House Public Affairs Committee to pass this bill out of committee.

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Kathryn Williams

Self/retired

Austin, TX

Opposed It's anti-American.

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Kathryn liams

Self/retired

Austin, TX

Opposed. This is unconstitutional and horrifying that voters could be photographed while trying to be qualified as a voter. It violates their right to privacy. It also would have a chilling effect on voters. How would voters standing next to the one photographed believe they were safe. It is humiliating because the determination the identity is suspicious is left to non professionals who do this job once every year or two. The authors explanation is far outside the language of her bill. Who would be the custodian of the "evidence" and what would be the chain of custody. Who would purchase the equipment. Would each precinct be equipped with a camera? I have the same concerns about videotaping the people going through the qualification process because this could make private information public.. I have served as an election clerk and think the cumulative effect of so many of this session's laws will make it nearly impossible to conduct elections.

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JANIS REINKEN, ATTORNEY

SELF / ATTORNEY

AUSTIN, TX

HOUSE COMMITTEE ON ELECTIONS HB 895 04-15-21

I oppose HB 895 (Swanson) as filed or as substituted. It is vague as written, and would even be more vague as applied. This Bill merely serves to point out the many shortcomings of the current photo ID law and process. This Bill would leave the photographing process to the SUBJECTIVE judgment of an Election Judge or Clerk. It would be an INORDINATE use of time and resources for an election official to take a voter aside to take their photo and then try to keep up with the picture and identify that picture with that person. Texas DL's renew every 6 years. People can change - they lose or gain weight, change hair length or color, have cosmetic surgery, experience body changes due to cancer treatment. There are many ways that a photo shown on a lawful ID might not be a current or exact image of the person standing in line to register and vote. The trained election official looks not only at the photo but also compares the address, the date of birth, the name and Voter Identification as well to see if all that fits with that person. The polling sites do not have copy machines for use at the poll. It would be simply impossible to have an election official use their own phone to take a photo and then archive and submit it to the county and then have someone at the county try to figure out what to do with it and how to archive it and for what purpose. The election officials are trained that in certain defined circumstances, a person without an authorized photo ID must "CURE" their ballot by getting an Election ID certificate or photo ID and take that to the county to complete and perfect their lack of a photo ID at the polling site. If Texas wants to do voter ID efficiently, the voter's photo would be shown on the person's voter ID certificate with no need for other documents; the Voter ID is updated more frequently than the Driver License or a passport. I have served as an Election Judge since 2004 and I have not EVER had someone appear to vote who was apparently impersonating another voter. If there are questions about the person's legitimacy as a voter, that's when the PROVISIONAL ballot is used. The election worker does NOT attempt to determine if the provisional ballot will count; that is decided later by Election Officials at the County receiving station. This Bill is an example of legislative overkill. The harm and unintended consequences that would result from this Bill far outweigh the imagined benefit to be achieved. What is next? Do we tattoo a number on a voter's forearm so we can be certain of the person's identity? Surely not. PLEASE VOTE NO ON THIS BILL.

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